



Nancy Maglitto

Nancy Maglitto died July 10, 2009, of a self-inflicted gunshot. Nancy was 53. No one expected her death. No one understood how heavy was her burden of HOA responsibility. And no, Nancy and Bob were not delinquent in assessments. They were not threatened with foreclosure. Rather, Nancy had been appointed to her HOA board as treasurer. On November 3, 2009, Nancy wrote to the management company, "I was not given this information (HOA docs) when we closed on this house, and it's way overdue that I attain this information." She was shocked at what she discovered - shocked at the Deed Restrictions and Bylaws that the developer had created - that are the law - that owners comply or else. She wondered in one of her final emails, "...just how many homeowners purchased homes and were not even given HOA documents to read and look over prior to closing."

Nancy continued, "...the developer's guise of 'an HOA will keep up your property values' is all a sham...it's all a lie..."

The HOA reality was a shock to Nancy, but what a shock Nancy was to her HOA board and to the management company. Her only desire "was to see a transparent and open relationship between the homeowners, the board, and the management company". So Nancy emailed her fellow board members and the management company asking questions and making recommendations. She could not understand how board members could be delinquent and still remain on the board, whereas delinquent homeowners could not even vote. Nancy then recommended that the Bylaws be changed so that delinquent homeowners could vote. In a final letter to her husband she asked, "Would a reasonable homeowner consider it fair for a person sitting on the board to be delinquent on their dues, but be able to remain on the board?...I began to feel that the board has an unusual position of advantage over the homeowners in this area, as they can set the policy."

Earlier, when a homeowner asked approval for a paint color, she was appalled that weeks had passed without approval. When she questioned the delay, one

email stated, "...we just can't approve anyone who wants to paint their house, we need to know the color, I don't want it to turn out like the yucky color...". Nancy responded, "The paint color is on the application." In her final letter she commented, "Thus began my lesson into HOA board life.. and I can tell you, it's not been fun."

At one point she stated, "If you question the system, ask about alternatives, look for ways to mitigate the legal minefields, try to get people to discuss options, it's all in vain."

Of great concern to Nancy was the management's offering the board a compliance program to inspect homes for violations prior to the homeowners' being able to sell their houses. She was told by the management company that the board could make that decision without homeowner approval. Nancy told fellow board members that this was granting even more power to the HOA/management company without the homeowners having a choice.

Nancy went door to door notifying neighbors of a general meeting because the agenda listed "Residents' Open Discussion" - an opportunity for homeowners to get answers to questions. But the day of the meeting - 24 June 2009 - an email was sent to board members stating "there will not be an agenda" - just a crime prevention meeting and "financials" would be sent electronically. That night, when neighbors met, they realized once again there would be no communication - no answers. Nancy then asked about the next meeting and was told by the community manager that this meeting was used as the quarterly meeting.

"The Crime Watch meeting seemed to be a turning point and now I'm right back under the ire of the board. I have done all I possibly can to communicate with the board/community manager. But we all must be accountable for our choices and the actions we take. The Board needs to be accountable why it was just a "crime watch" meeting? And why they did not take any steps to meet with homeowners who had valid concerns as to what the HOA/community manager could do to help them."

Nancy found herself totally at odds with the board and the management company, stating, "Now I am personally depressed and confused about why I have the ire of the board...and their strong attack against me...I am at a place in my life that I can no longer handle any of these issues...I feel that I am of no use to the board any longer and now feel my family will suffer from my aggressiveness with HOA concerns."

Nancy appended happy, positive quotations to her early emails. After June 2, 2009, her every email quoted Thomas Jefferson, "All tyranny needs to gain a foothold is for people of good conscience to remain silent."

Nancy felt "all alone". Her husband, Bob, said, "How I wish she had known all of you."